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COMMITTEE ON THE INTERNATIONAL
YEAR FOR HUMAN RIGHTS

DRAFT REPORT OF THE COMMITTEE ON THE INTERNATIONAL YEAR FOR HUMAN RIGHTS

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Section E: Proposed International Conference on Human Rights

139. Although the members of the Working Group did not reach agreement on all points, section E of the report of the Working Group, relating to the proposed international conference on human rights, was submitted to the Committee as a working paper, to serve as a basis for further discussion. The section reads as follows:

"28. The Committee gave a great deal of attention to the holding of an International Conference during the International Year for Human Rights 1968. The most important area of discussion was the formulation of the purposes of the Conference, whether it would provide an effective medium or forum for the purposes stated in resolution 6 (XX) of the Commission on Human Rights and how best it could make a lasting contribution to the cause of human rights within the meaning of General Assembly resolution 1961 (XVIII). It was necessary to spend time to elaborate these purposes as a few members expressed vague misgivings about the proposal, not because they considered it to be a waste of time but because they doubted whether the likely results would justify the substantial charge on the United Nations budget which an international Conference of the kind contemplated would involve.

"In view of these considerations the following purposes were decided on as a further elaboration of the original purposes stated in the resolution:

"(i) to review in the light of the report of four special regional seminars to be held in 1966 and 1967, the progress of the United Nations Human Rights Programme since the adoption of the Universal Declaration of Human Rights;

"(ii) to evaluate the effectiveness of the methods and techniques used by the United Nations in the field of human rights;

"(iii) to formulate and prepare a programme of further measures to be taken subsequent to the celebrations of Human Rights Year.

"29. With regard to (i) the Committee felt that the review of progress within States would be essential and would be best kept on a regional level. This, the Committee realized was a delicate matter. There would always be the risk that in an international forum such a review could be used to make unjustifiable attacks on the policies of particular governments by excessive concentration on known defects in their domestic human rights programme. It seemed to the Committee therefore that such a review could be most safely and appropriately carried out in the first place, not in the conference proper but in regional seminars, one to be held in each of the four main regions of the world. The purpose of the seminars would be (a) to discuss the methods and techniques being used by the Member States of the region in implementing human rights programmes; (b) to examine the progress made by these Member

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States with their national programmes and the obstacles these programmes have encountered; and (c) to reach conclusions in regard to the means whereby these national programmes can be facilitated, stimulated and improved in future.

"The seminars, held under the United Nations Advisory Services Programme, would be held in 1966 and 1967. Such seminars would of course be attended by experts who could be expected to examine the achievements and the shortcomings of their own and other countries.

"In elaboration and explanation of the third purpose of the conference, (iii) above, the Committee is of the opinion that the conference should study and encourage:

"(a) the adoption of measures designed to accelerate the promotion of respect for human rights and fundamental freedoms in line with the provision of General Assembly resolution 1776 (XVII) which emphasizes the need to enhance the effectiveness and increase the practical results of United Nations activity in this field; and should study

"(b) proposals aimed at securing effective implementation of the Universal Declaration of Human Rights;

"(c) the elimination of overlapping by co-ordinating and consolidating activities within the United Nations and the specialized agencies;

"(d) the effectiveness of the Advisory Services programme including evaluation of its scope and proposals for its future development.

"30. The Committee then considered by which organ of the United Nations the Conference would be convened, what would be its venue, its duration, the means of preparing for it and its method of financing. It was agreed that the Conference should be convened by the General Assembly for a period of about four weeks. It could be held in the country of a Member State, possessing suitable facilities, willing to be host country and who is prepared to meet the expenses. However, in the event of there being no such country, the Conference should then be held at the United Nations Headquarters provided that the General Assembly convenes two weeks earlier in 1968 and ends by about 24 November, so that the Conference would meet for four weeks before Christmas.

"31. The Committee next considered the probable terms of reference of the Preparatory Committee. It was agreed that the Commission on Human Rights should be requested at its twenty-first session to select a Committee of fifteen members, the majority of whom would be members of the Commission. The Preparatory Committee should be financed from the budgetary provisions for the Human Rights Programme or from the funds of the present Advisory Services programme. This Committee should make proposals for the terms of reference and structure of the Conference, the draft agenda and the duration of the Conference. The Preparatory Committee would also supervise the

preparation of documentation necessary for (a) regional seminars which would be prepared and collated by the United Nations Secretariat and (b) for the Conference. The latter would include the preparation of technical studies and analyses on methods used by the United Nations and specialized agencies in their programmes. The Committee should be authorized to engage a few expert consultants to prepare the necessary studies. The cost of engaging these experts would be met from the funds of the Advisory Services Programme. As in the case of the studies for the regional seminars they will be prepared in conjuction with the Secretariat of the United Nations.

"32. A study of the estimated cost of the Conference should be the third task of the Preparatory Committee which would make suggestions as to the question of financing the Conference. The Preparatory Committee should be authorized, however, to investigate the possibility of securing voluntary contributions from the host country, if one is found, and from other countries willing to contribute towards the cost of the Conference. To the extent that voluntary contributions prove insufficient to meet the full cost of the Conference, the remainder would be met from the United Nations budget. Some members felt, however, that the Conference should be financed primarily by means of a special provision in the United Nations regular budget.

"33. The fourth duty of the Preparatory Committee would be to recommend the venue. If a host country is found this problem would be solved. However, some members felt that a Conference would be possible only if it were held at the United Nations Headquarters simultaneously with a meeting of the General Assembly and perhaps in place of the meetings of the Third Committee of the Assembly, because they considered that otherwise the cost of the Conference would be prohibitive. Other members felt, however, that this would obscure the impact of the Conference and the amount of the publicity given to its deliberations and conclusions. These members felt that the Conference could be held at the United Nations only if the General Assembly were to meet earlier and end on about 24 November to give the Conference four clear weeks, if needed, in December. This period was also desirable from the point of view that Human Rights Day, 10 December, would fall within it. It was agreed that such questions would need to be examined in detail and precise recommendations drawn up by the Preparatory Committee. Some members felt that the Preparatory Committee should report its findings through ECOSOC to the twenty-first (and twenty-second) sessions of the General Assembly in 1966 and 1967. Others were of the opinion that it should report to the twenty-second session of the Commission on Human Rights in March 1966, through ECOSOC in summer 1966, for transmission to the General Assembly at its twenty-first session in 1966.

"34. The Committee agreed that a Secretary or Executive Secretary for the Conference should be appointed at the earliest possible date. This would be done by the nomination of the Secretary-General of the United Nations.

"35. To summarize, the Committee recommends:

"(a) that the Assembly should decide to convene an International Conference on Human Rights in 1968 as one of the observances in the International Year for Human Rights;

"(b) that four special regional seminars should be held during 1966 and 1967, in four regions of the world, at which the progress made within Member States in giving effect to human rights and fundamental freedoms would be reviewed.

"(c) that the Commission on Human Rights should at its twenty-first session appoint a Preparatory Committee of fifteen members to prepare for the Conference;

"(d) that the Secretary-General should appoint an Executive Secretary to the Conference at the earliest possible date who would be a member of the Preparatory Committee;

"(e) that this Preparatory Committee should make recommendations on the terms of reference and structure of the Conference, its agenda, duration and venue, and should direct the preparation of the necessary studies and documentation and prepare estimates of cost;

"(f) that an appropriation should be made within the United Nations regular budget towards the cost of the Conference and that the probable amount of this appropriation should be made known to the Preparatory Committee as early as possible; and

"(g) that reports from the Preparatory Committee on the progress of this effort should be submitted through (the Commission on Human Rights) and the Economic and Social Council for consideration at the regular sessions of the General Assembly in 1966 and 1967."

140. In connexion with section E, the Working Group had indicated (ST/SG/AC.5/5, paras. 3-4) that it had become clear, after long discussions and repeated efforts of conciliation, that members would not reach agreement on all points in the Working Group. Such agreement as had been reached related to the following points: that an international conference should be held in 1968, that a preparatory committee should be set up to consider the organization and terms of reference of such a conference and make recommendations, and, in consultation with the Secretariat, see also to the production of necessary documentation by experts. The Working Group had further indicated that several of its members had found difficulty in dealing with certain other portions of section E. The disagreement had been such that the Group had decided that each member should have the right to take an independent line on any of the main areas of disagreement, viz., the four regional seminars, the executive-secretary of the conference, financing, the objects and terms of reference of the conference, the question as to which body should appoint

or nominate the preparatory committee and to which body it should report, and finally the question as to whether the possibility of having some Member States act as host to the conference should be explored by the preparatory committee. It was in view of these fundamental points of difference that members proposed that section E should be considered by the Committee as a working paper rather than as a text proposed for adoption.

141. The Committee considered section E of the Working Group's report at its twenty-second to twenty-eighth meetings. In this connexion the Committee had before it a statement by the Secretary-General of the financial implications of the proposed International Conference on Human Rights (ST/SG/AC.5/5/Add.1, section V).

142. In accordance with the decision which had been taken at its tenth meeting, the Committee first held a general debate on the question of convening an international conference on human rights during the year 1968. On the suggestion of the representative of France, the Committee decided that the general debate should be divided into two phases. During the first phase the Committee sought to determine the objectives to be fulfilled by an international review of the situation in respect of human rights and fundamental freedoms during the year 1968, a matter on which the Commission on Human Rights had made a series of suggestions in operative paragraph 2 of its resolution 6 (XX); during the second phase the Committee considered the most effective and practical means of achieving the objectives which it envisaged for such a review, whether by an international conference, by regional seminars, or by other means. In practice, however, the two phases of the discussion were not completely separated.

143. The Commission on Human Rights, in resolution 6 (XX), had set out as objectives of the proposed International Conference on Human Rights the following: (i) to review the progress which has been made in the field of human rights since the adoption of the Universal Declaration of Human Rights; (ii) to evaluate the effectiveness of the methods and techniques used by the United Nations in the field of human rights; and (iii) to formulate and prepare a programme of further measures to be taken subsequent to the celebration of Human Rights Year.

144. There was no disagreement in the Committee with reference to the objectives to be fulfilled by an international review of the situation in respect of human rights and fundamental freedoms during the year 1968, and members of the Committee generally supported the objectives set out by the Commission on Human Rights.

145. With reference to these objectives, several members of the Committee shared the view that the proposed international conference should not be regarded as an end in itself but rather as a means of promoting respect for and observance of human rights and freedoms, that it should not be considered as a means of forcing the pace of progress in this area nor as a substitute for patient efforts to educate and inform peoples and their Governments. These members pointed out that the degree of respect for human rights and fundamental freedoms was not easily gauged, that different countries had differing ideas of freedom, and that States were particularly sensitive about interference in their domestic jurisdiction. They suggested that, for these reasons, any attempt to appraise the effectiveness of the methods and techniques used by Member States or by the United Nations in the field of human rights should be made on the basis of careful methodological studies prepared in a serene atmosphere untroubled by political controversies; and maintained that the successful accomplishment of the objectives set out by the Commission in resolution 6 (XX) would depend on a careful, expert, and dispassionate approach.

146. Another point of view relating to the proposed objectives was that the Committee should endeavour to focus attention upon a single specific and concrete objective which the conference might aim at achieving, such as the full enjoyment of human rights and fundamental freedoms in all countries.

147. With reference to particular objectives, varying points of view were expressed. With regard to the proposed review of progress which had been made in the field of human rights, it was suggested that such a review should include, at the international level, the examination of the functions relating to human rights entrusted to the Economic and Social Council, the Commission on Human Rights, and other United Nations organs, together with a review of the activities in that field undertaken by the specialized agencies; and at the national level, should include the examination of programmes for the promotion and protection of human rights applied in Member States. On the other hand, some members felt that the system of periodic reports on human rights sufficed for the execution of the proposed review.

148. With regard to the proposed evaluation of the effectiveness of the methods and techniques used by the United Nations in the field of human rights, it was

suggested that this might well turn out to be the most important objective to be achieved in 1968 and would be more effective than any other means of achieving better national and international protection of human rights. On the other hand, it was pointed out that such a review was constantly being carried out by the appropriate organs of the United Nations, including the General Assembly, the Economic and Social Council, and the Commission on Human Rights.

149. With regard to the proposed preparation of a programme of further measures to be taken for the promotion and protection of human rights subsequent to 1968, the view was expressed that it was absolutely necessary to plan such further measures because the work of the competent organs of the United Nations had not proved satisfactory. On the other hand, it was pointed out that the adoption of a programme of long-term aims which did not take sufficient account of the practical difficulties to be overcome in the contemporary world would not be very useful, and that it would be preferable to specify a few carefully chosen and thoroughly studied goals to be achieved during the years following 1968.

150. One member suggested a fourth objective should be added to the list envisaged by the Commission on Human Rights: consideration of the question whether sufficient importance had been accorded to the human rights programme within the United Nations. No formal proposal on this point was, however, put forward.

151. With regard to the question of the most effective and practical means of attaining the objectives mentioned in resolution 6 (XX) of the Commission on Human Rights, widely divergent views were expressed by various members of the Committee. Opinions were divided on such questions as whether the proposed international conference on human rights was possible and desirable, whether preparatory work connected with the conference should be carried out in regional seminars, by experts, or by the Secretary-General; and whether or not the results to be expected from the conference justified the costs which would be involved.

152. Some members of the Committee considered that the proposed international conference was both possible and desirable. They pointed out that conferences were a means commonly employed by international organizations and that one on the subject of human rights would be particularly appropriate both to review past progress and techniques and to encourage further advances in the promotion of human rights. In their view such a conference could serve to heighten awareness of human

rights problems, and of the need to create effective safeguards. It would also give moral support to the countries that were grappling with domestic human rights problems. They pointed out that although intensive and valuable work was being done by various United Nations bodies with competence in the field of human rights, no comprehensive appraisal of the progress achieved or of the difficulties encountered in the promotion and protection of human rights had been undertaken, and that no study of the methods and techniques used in this field had been made. The conference would serve to draw attention to United Nations work in the human rights field, and the United Nations itself, as well as its Member States, would benefit from a concerted effort to enforce respect for and observance of human rights and fundamental freedoms. The conference would enable States to participate in an international exchange of information and experience in the field of human rights in a manner similar to the regional exchanges which had taken place under the programme of advisory services in the field of human rights and which had proved to be of great benefit. Moreover, the conference might consider a number of urgent questions which the existing human rights bodies had not yet dealt with, such as the question of strengthening the executive power of the United Nations in the field of human rights and the need to establish special organs in Member States to co-ordinate the efforts of national and international bodies concerned with human rights.

153. On the other hand, some members of the Committee had reservations concerning the proposed conference, primarily on the ground that they doubted that it would prove sufficiently useful to justify the expenditure involved. In their view, a review of the progress achieved in the human rights programme could be undertaken by the General Assembly itself, or by another competent organ of the United Nations, at its 1968 session, without incurring any extra cost.

154. With regard to the question whether preparatory work for the proposed conference should be carried out in regional seminars, by experts, or by the Secretary-General, there was also a wide divergence of opinion. Several members of the Committee were strongly opposed to regional seminars on the ground that they would be unfair to those countries which, for one reason or another, would be excluded from them. Others opposed regional seminars on the ground that they would

disturb the existing pattern of the programme of advisory services in the field of human rights. They stated that they were categorically opposed to diverting a single dollar from the advisory services programme which had proved very successful, particularly since diversion of programme funds would tend to disrupt the pattern of regular seminars and fellowships established under that programme. These members pointed out also that such seminars could lead to undesirable political controversies and would not contribute to any progress in the preparation of the international conference. It was also remarked that the convening of both a conference and regional seminars would exceed the available resources and the need, and that time might be wasted in settling conflicts between the views of experts expressed in the seminars and those of Governments expressed through their representatives at the conference. On the other hand, it was pointed out that other risks might be incurred if the preparatory work were to be carried out either by experts or by the Secretary-General, since this work might involve criticism of the domestic policies of Governments.

155. With regard to the question whether or not the results to be expected from the conference justified the costs which would be involved, some members expressed the view that the costs would be justified if the expenditures were held to the minimum, if the conference served as the culminating point of the activities of the International Year for Human Rights, if it emphasized the theme of the celebration of the twentieth anniversary of the Universal Declaration of Human Rights, and if it served to further the cause of human rights and in particular to draw the attention of national authorities to the need for a programme of further measures to promote and to protect human rights and fundamental freedoms. It was noted that what was contemplated was not a conference on the scale of the recent Conference on Trade and Development but one on a more modest scale which, if convened in conjunction with a regular session of the General Assembly, would involve very little extra cost. On the other hand, some members of the Committee voiced concern regarding the financial implications of the proposed conference, which in their view could not be fully justified.

156. The representative of the Philippines, in an effort to correct the shortcomings of the terms of reference of the preparatory seminars referred to in paragraph 29 of the report of the Working Group, proposed that items (a), (b) and (c) of the first part of that paragraph should be replaced by the following:

> "(a) to exchange information and experience on the progress and significant developments achieved in their national programmes in the field of human rights and in solving, or attempting to solve, certain common problems in the implementation of their human rights programmes; (b) to reach conclusions and recommendations in regard to the means for more effective national and, where appropriate, regional programmes in the field of human rights."

157. Other members, however, felt that such questions of detail should be worked out by a preparatory body, and that the Committee should concentrate on clarifying the form which the proposed conference should take and how it should be financed.

158. With regard to the form of the conference, some members felt that it should be composed of plenipotentiaries while others considered that experts would be preferable.

159. With regard to the financing of the preparatory measures required by the conference, there was opposition to the suggestion in the report of the Working Group that funds normally appropriated for use under the programme of advisory services in the field of human rights might be utilized. Others referred to the danger of involving the Advisory Services Programme in regional seminars in which there was a great risk of political conflict and invective because private experts would be called upon to discuss, and possibly attack, what had been done by Governments other than their own; and from which some States inevitably would be excluded.

160. Believing that there was a consensus of opinion in the Committee on sufficient points to make a compromise agreement possible, the representatives of Argentina and Brazil submitted to the Committee, at its twenty-fifth meeting, the following text to be considered for inclusion in the report of the Committee (ST/SG/AC.5/L.4):

The Committee discussed the decision formulated by the Commission on Human Rights in its resolution 6 (XX), operative paragraph 2, that the Committee should give "special thought to the possibility of holding an International Conference in 1968 to (i) review the progress which has been made in the field of human rights since the adoption of the Universal Declaration on Human Rights, (ii) evaluate the effectiveness of the methods and techniques used by the United Nations in the field of human rights and (iii) formulate and prepare a programme of further measures to be taken subsequent to the celebration of Human Rights Year;"

Bearing in mind the need to fulfil the above objectives, which it endorsed, the Committee recommends that the Commission on Human Rights should invite the General Assembly, through the Economic and Social Council, to

(a) Convene a meeting of governmental representatives, who are experts in human rights, for the purpose of giving effect to the aims set forth in resolution 6 (XX), operative paragraph 2, of the Commission on Human Rights;

(b) Such a meeting would be held during the twenty-third session of the General Assembly for a period of _____ weeks;

(c) In order that this meeting may fulfil its task properly, the Committee considers that (i) governmental representatives participating in it must be experts with a profound knowledge of human rights; (ii) its discussions must be conducted on a technical level in order to secure the lofty aims for which the meeting has been convened and criticisms of individual countries and policies must be avoided; and (iii) the meeting must be carefully and properly prepared, the task of assembling the basic documentation being entrusted to a selected group of experts;

(d) Arrangements for drawing up the agenda, the preparation of documents and other questions concerning the meeting should be entrusted to the Secretary-General and officials designated by him in consultation with the Commission on Human Rights or any other organ it may designate for this purpose;

(e) The resolutions of the 1968 meeting shall be transmitted to the General Assembly for consideration and adoption.

161. There was wide support in the Committee for all portions of the joint text with the exception of sub-paragraph (b) of the second paragraph, which suggested that the proposed meeting should be held during the twenty-third session of the General Assembly for a period of _____ weeks. With regard to this sub-paragraph, three divergent points of view were expressed.

162. Some members of the Committee supported the joint proposal because they saw many advantages in holding the conference during the twenty-third session of the General Assembly. They felt that such an arrangement would decrease the extra costs involved, and at the same time would ensure that the conference would be in session on 10 December 1968, the twentieth anniversary of the Universal Declaration of Human Rights.

163. Some members indicated that their Governments could agree to the holding of a conference on human rights only if it were to be scheduled in conjunction with the 1968 session of the General Assembly.

164. Other members of the Committee, however, pointed out that the date suggested created certain problems. They expressed the view that it was not appropriate for the work of the General Assembly, which was composed of plenipotentiaries, to be interrupted for several weeks in order to make room for a conference of experts; and voiced the hope that the conference might be held in advance of the General Assembly's session in order that the recommendations of the conference might be considered and approved by the Assembly without undue delay.

165. Still other members felt that the conference might most conveniently be held immediately after the adjournment of the twenty-third session of the General Assembly, and suggested that the Assembly might consider ending its regular session earlier than usual to allow the conference to take place during the first three weeks of December 1968.

166. Some delegations were prepared to agree to having the conference convened either immediately before or immediately after the General Assembly's session, provided that none of the Assembly's time was pre-empted by the conference.

167. With regard to the proposal, in the joint text, that the task of assembling the basic documentation for the conference should be entrusted to "a selected group of experts", the question was raised how the experts would be selected and what the financial implications might be. It was pointed out that it was important that all regions, all legal systems, and all cultures should be represented among the group of experts, and that special consideration should be given, in selecting members of that group, to those parts of the world which were most in need of efforts to promote human rights. The question was also raised as to the properties of the group which would be experts in civil and political rights

and the proportion which would be experts in economic, social and cultural rights; in this connexion it was pointed out that in order to secure a well-balanced review, the group must contain experts on all human rights.

168. The representative of the United Kingdom, however, proposed that the words "a selected group of," should be deleted from paragraph (c) (iii) of the Argentine-Brazilian text as unnecessary.

169. The representative of India, on behalf of a number of delegations with whom he had consulted, proposed a series of amendments to the joint text, as follows:

1. Amend sub-paragraph (b) to read: "Such a meeting may be held on dates in close proximity to the twenty-third session of the General Assembly to be indicated by the Commission on Human Rights, in a manner which will be least expensive to the United Nations;"

2. Amend sub-paragraph (c) to read: "In order that this conference may fulfil its task properly, the Committee would recommend for the consideration of the Commission on Human Rights that governmental representatives participating in it may be experts conversant with human rights; its discussions must be conducted with a view to securing the lofty aims for which the conference is convened, in which criticism of individual countries and policies should be avoided, and the documentation and preparatory work for the conference should be carefully and properly prepared with the help of a group of experts to be selected by the Secretary-General;"

3. In sub-paragraph (d), replaced the words "should be entrusted to" by "may be done as usual by", and replace the words "or any other organ it may designate for this purpose" by the words "and/or the General Assembly".

170. The Committee agreed that in the first line of sub-paragraph (a) the word "are" should be replaced by the words "Should, as far as possible, be"; that sub-paragraph (c) (i) should read: "governmental representatives participating in it should be persons conversant with human rights"; that in sub-paragraph (c) (iii) the words "a selected group of experts" should be replaced by the words "selected experts"; that in the same sub-paragraph the words "basic documentation" should be replaced by the words "necessary technical studies" and that in sub-paragraph (d) the word "documents" should be replaced by "other documentation".

171. With regard to the Indian proposal to replace the word "during" in sub-paragraph (b) by the words "on dates in close proximity to", there was some discussion in the Committee. While some members of the Committee could accept the Indian proposal, one member stated that if the word "during" was changed, he would be unable to accept the compromise text as a whole. The same member objected to a suggestion that sub-paragraph (b) should be deleted on the ground that he considered it to be an essential part of the compromise text.

172. In view of the divergent views strongly held by various members of the Committee, it was suggested that the matter should be left open, either by referring in the report to the three possibilities - convening the meeting before, during, or after the twenty-third session of the General Assembly - or by stating that the time and place should be chosen later by an appropriate United Nations body. Another proposal was that the Rapporteur should be authorized to record the different points of view in the present report, leaving the Commission on Human Rights free to decide the question of the date of the conference.

173. In view of the desire expressed by several members of the Committee that a positive recommendation of some sort should be put forward by the Committee on the question of the scheduling of the proposed conference, an effort was made to reach a consensus of opinion. In this connexion the representative of Costa Rica proposed, at the twenty-seventh meeting of the Committee, that the wording of sub-paragraph (b) should be revised to read as follows: "Such a meeting would be held, in the opinion of some delegates, immediately prior to the beginning of the twenty-third session of the General Assembly, during the session, in the opinion of others, and once the Assembly had completed its work, in the opinion of another group of delegates." The representative of Guatemala suggested that the text of sub-paragraph (b) might be replaced by the words, "Such a meeting would be held in 1968", it being understood that the various points of view expressed in the Committee would be reflected in the present report. The representative of Lebanon suggested that sub-paragraph (b) should be replaced by the following text: "The representatives were unable to reach agreement on the date of the meeting. Some representatives stressed that they could not agree to a meeting unless it was held during the regular 1968 session of the General Assembly. Some representatives stressed that they could not agree to a meeting unless it was held outside the

regular session, i.e., just before or just after the session. Some representatives suggested that it should be left to the Commission on Human Rights to settle the matter. All representatives agreed on the need to keep the conference expenses to a minimum, every effort being made to achieve optimum results."

174. After considering thses alternative texts, the Committee decided to adopt the suggestion of the representative of Costa Rica, to which there were fewest objections.

175. The representative of France reiterated the opinion that his delegation could accept the convening of a conference only if it was expressly stated that the conference would be "held during the twenty-third session of the General Assembly". He pointed out that it was his delegation's understanding that the Committee had taken a formal decision, to consider the Working Group's report in such a way that recourse to voting would be avoided, so as to encourage unanimous agreement. It was still possible to reverse that decision, but if that was done it should be done clearly and formally. In his view the Argentine-Brazilian proposal, which had been put forward as a compromise, should have been considered in that spirit, but if unanimity was impossible one of two courses should have been adopted: either the disagreement should have been fully and precisely recorded in the present report or, because of the particular difficulty of the question, the Committee should have reverted to the normal procedure of voting.

It was pointed out by the Chair that the Committee had applied the procedure it had followed so far to the effect that it had adopted the decisions by a method of consensus with the understanding that the reservations expressed would be mentioned in the present report. The ruling of the Chair was that the proceeding was perfectly in order and the one to be followed. The representative of France objected to such a procedure noting that the "consensus procedure" is compatible with reservations but not with oppositions and therefore he announced that his delegation no longer associated with any of the decisions taken in connexion with section E of the Working Group's report.

176. With reference to sub-paragraph (d) of the joint proposal, the representatives of Argentina and Brazil accepted the amendment which had been proposed by the representative of India (see paragraph ____). The representative of the

177. In order to take into account these points of view, the Chairman suggested that sub-paragraph (d) should be revised to read: "Arrangements for drawing up the agenda, the preparation of further documentation and other questions concerning the meeting should be done as usual by the Secretary-General and officials designated by him in co-operation with the General Assembly, the Commission on Human Rights and the Commission on the Status of Women." This formulation was approved by the Committee.

178. The Committee accordingly forwards to the Commission on Human Rights, for its consideration, the following recommendation:

XV

The Committee gave a great deal of attention to the holding of an international conference during the International Year for Human Rights 1968. The Committee had before it, in this connexion, the observations on the programme of measures and activities for the International Year which had been received from Governments (ST/SG/AC.5/4 and Add.1-10, as well as a statement of the financial implications of the proposed conference (ST/SG/AC.5/5/Add.1, section V). The most important area of discussion was the formulation of the purposes of the conference, whether it would provide an effective medium or forum for the purposes stated in resolution 6 (XX) of the Commission on Human Rights and how best it could make a lasting contribution to the cause of human rights within the meaning of General Assembly resolution 1961 (XVIII).[1/]

In this connexion the Committee discussed in particular the decision formulated by the Commission on Human Rights in its resolution 6 (XX), operative paragraph 2, that the Committee should give "special thought to the possibility of holding an International Conference in 1968 to (i) review the progress which has been made in the field of human rights since the adoption of the Universal Declaration on Human Rights, (ii) evaluate the effectiveness of the methods and techniques used by the United Nations in the field of human rights and (iii) formulate and prepare a programme of further measures to be taken subsequent to the celebration of Human Rights Year";

Bearing in mind the need to fulfil the above objectives, which it endorsed, the Committee recommends that the Commission on Human Rights should invite the General Assembly, through the Economic and Social Council, to

(a) Convene a meeting of governmental representatives, who should, as far as possible, be experts in human rights, for the purpose of giving effect to the aims set forth in resolution 6 (XX), operative paragraph 2, of the Commission on Human Rights;

(b) Such a meeting would be held, in the opinion of some delegates, immediately prior to the beginning of the twenty-third session of the General Assembly; during the session, in the opinion of others; and once the General Assembly has completed its work, in the opinion of another group of delegates.

(c) In order that this meeting may fulfil its task properly, the Committee considers that (i) governmental representatives participating in it should be persons conversant with human rights; (ii) its discussions must be conducted on a technical level in order to secure the lofty aims for which the meeting has been convened and criticisms of individual countries and policies must be avoided; (iii) the meeting must be carefully and properly prepared, the task of preparing the necessary technical studies being entrusted to selected experts.

(d) Arrangements for drawing up the agenda, the preparation of further documentation and other questions concerning the conference should be done as usual by the Secretary-General and officials designated by him in co-operation with the General Assembly, the Commission on Human Rights and the Commission on the Status of Women.

(e) The resolutions of the 1968 meeting shall be transmitted to the General Assembly for consideration and adoption.

Section F: Co-ordinating Machinery and Reporting

179. Paragraphs 36-37 of the report of the Working Group read as follows:

"36. The programme recommended in the foregoing paragraphs contemplates activities by the United Nations, the specialized agencies, Member States and international and national organizations. For an effective year of observances some measure of co-ordination of these separate activities will be required. Some of the recommended measures are set out precisely and in reasonably full detail; in others no more than the broad outlines of the proposal can be given at this stage, and details require to be worked out. The International Labour Organisation for example, will be giving further thought to the form which its participation in the year's observances might take; UNESCO has not yet been able to consider to what extent the international press can be brought in to participate in the proposed conference on Freedom of Information. When these details have been worked out it will be desirable that information about them should be communicated to a central organization or central point. Part of the recommended activities during 1968 and in the period leading up to it will involve co-operation between Member States in regional seminars and conferences. Such regional activities will need to be centrally organized. It is likely that individual Member States will have new ideas in regard to measures they might undertake in connexion with 1968 and they will wish to communicate some of these ideas to other Member States. A clearing house for such information will obviously be needed.

"37. Some members considered that part of this function of co-ordinating centre and clearing house can be discharged by the Secretary-General, but that for other parts, he will need to call on a body representing Member States of the United Nations for advice and decision. These members were prepared to recommend therefore that the Committee on the International Year for Human Rights should reconvene after 1965 and should as required by the Secretary-General, assist in discharging the functions of clearing house and co-ordinating centre in respect of the programme of activities connected with the International Year. There were of course other views as to how this function should be discharged. Alternative methods of dealing with the problem were expressed by other members and these may be summarized as follows:

"(i) that such a need should be brought to the attention of the Commission on Human Rights in the report of the Committee; or

(ii) that the responsibility of such co-ordination falls within the functions of the Secretary-General; or

(iii) that the Commission on Human Rights should be invited by the Committee to recommend that the General Assembly appoint a Co-ordinating Committee."

180. Section F was considered by the Committee at its twenty-first meeting. There was general agreement in the Committee that the measures and activities recommended in connexion with the International Year for Human Rights should be co-ordinated, and that the primary responsibility for co-ordination would lie with the Secretary-General. Some members considered that a body consisting of representatives of Member States should be set up to assist the Secretary-General in the discharge of that function; others, however, pointed out that there were enough United Nations bodies capable of providing co-ordination without setting up another. In particular, reference was made to the Commission on Human Rights, the Administrative Committee on Co-ordination (ACC), and the Co-ordination Committee of the Economic and Social Council.

181. Some members suggested that the Secretary-General could, if necessary, consult the officers of the Committee, without the need to call the Commission on Human Rights into session. Other, however, were of the view that it was hardly for the Committee to arrogate the function of co-ordination to itself or to its officers.

182. Members expressed the view that it would be preferable to find the simplest possible solution, and that in any case a single body - preferably one already in existence - would suffice. There was general agreement that the Secretary-General should enlist the help of an existing body when the need for co-ordination arose, and that the Commission on Human Rights was the most appropriate body for this purpose.

183. The representative of the Philippines proposed the deletion of the fourth sentence of paragraph 36 of the draft submitted by the Working Group. The Committee agreed to the proposal. With regard to paragraph 37, the Committee agreed to a proposal by the Chairman that the paragraph should be revised to indicate that the great majority of members of the Committee were of the view that the activities recommended should be co-ordinated, that the co-ordinating and clearing-house function should be carried out by the Secretary-General, and that a small number of members had considered that a body consisting of representatives of Member States should be set up to assist the Secretary-General in the discharge of that function. The Committee further agreed to authorize the Rapporteur to revise the text of paragraph 36 as necessary in order to bring it into line with the agreement recorded in the revised text of paragraph 37.

184. Accordingly, the Committee submits to the Commission on Human Rights the following recommendation:

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The programme of measures and activities recommended by the Committee contemplates activities by the United Nations, the specialized agencies, Member States, and international and national organizations. For an effective year of observances, some degree of co-ordination of these separate activities will be required. Some of the recommended activities are set out precisely and in reasonably full detail; in others, no more than the broad outlines of the proposal can be given at this stage, and details require to be worked out. When these details will have been worked out, it will be desirable that information about them should be communicated to a central organization or central point. It is likely that individual Member States will have new ideas in regard to activities they may wish to undertake in connexion with the International Year for Human Rights, and that they will wish to communicate some of these ideas to other Member States.[1/] Some members of the Committee were of the opinion that the activities recommended should be co-ordinated, and that the co-ordinating and clearing-house function should be carried out by the Secretary-General; other members considered that an existing body, consisting of representatives of Member States, should assist the Secretary-General in the discharge of that function.[2/]

1/ Paragraph revised by the Rapporteur, as authorized by the Committee at its twenty-first meeting.

2/ Paragraph drafted by the Rapporteur, as authorized by the Committee at its twenty-first meeting.